

On Count 2 regarding alleged deprivation of the right to vote, Defendants are entitled to summary judgment because disenfranchised felons have no fundamental right to vote. Defendants are also entitled to summary judgment on Count 3 because Defendants' implementation of Tennessee's re-enfranchisement statute is rationally related to the legitimate state interests of reducing administrative costs and reducing administrative burdens on statewide officials.

Defendants are also entitled to summary judgment on Counts 4 and 6 involving the National Voter Registration Act of 1993 ("NVRA"), because the Tennessee Conference of the NAACP ("NAACP") lacks standing. The NAACP has not demonstrated any injury in fact, nor has it shown that any of its members have suffered injury under the alleged violations of the act. As a matter of law, there are no violations of the NVRA. The voter-registration forms sufficiently inform applicants of voter-eligibility requirements. Also, Tennessee ensures that eligible applicants are registered to vote, and Tennessee's practice does not violate the accept-and-use mandate included on the Federal Form.

Defendants are entitled to summary judgment on Count 5 because, as a matter of law, there is no constitutional violation of the right to vote. Tennessee does not reject all voter registration forms on which the applicant affirmed that they have a felony conviction. Moreover, Tennessee's practice is rationally related to its legitimate interest in combatting voter fraud, safeguarding voter confidence, and ensuring accurate record keeping.

Under Federal Rule of Civil Procedure 56(a) a court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. For each of count in the amended complaint, Plaintiffs have failed to create a genuine issue of material fact, and Defendants are entitled to summary judgment on all counts. The case should be dismissed in its entirety.

In support of this Motion, Defendants rely on the contemporaneously filed Statement of Undisputed Material Facts, Memorandum of Law in Support of the Motion, and the exhibits attached to the Memorandum.

Respectfully submitted,

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Sincerely,

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document has been forwarded electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to the parties named below. Parties may access this filing through the Court's electronic filing system.

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